



A1  
988  
D021

COMMISSION OF INQUIRY INTO THE  
USE OF DRUGS AND BANNED PRACTICES  
INTENDED TO INCREASE ATHLETIC PERFORMANCE

B E F O R E:

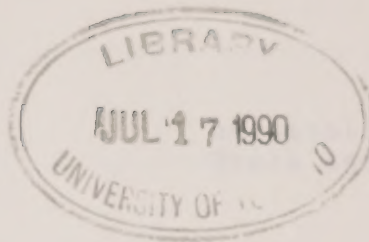
THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,  
2nd FLOOR, TORONTO, ONTARIO,  
ON WEDNESDAY, MAY 10, 1989

VOLUME 48



COMMISSION OF INQUIRY INTO THE  
USE OF DRUGS AND BANNED PRACTICES  
INTENDED TO INCREASE ATHLETIC PERFORMANCE




B E F O R E :

THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

HEARING HELD AT 1235 BAY STREET,  
2nd FLOOR, TORONTO, ONTARIO,  
ON WEDNESDAY, MAY 10, 1989

VOLUME 48



Digitized by the Internet Archive  
in 2023 with funding from  
University of Toronto

<https://archive.org/details/31761119682219>



C O U N S E L:

R. ARMSTRONG, Q.C.  
Ms. K. CHOWN

on behalf of the  
Commission

R. BOURQUE

on behalf of the Canadian  
Track and Field Association

J. PREFONTAINE

on behalf of the Government  
of Canada

D. MANN

on behalf of the Canadian  
Olympic Association

H. SALEM

on behalf of S. Brisbois

A. PRATT

on behalf of Charles  
Francis

D. SOOKRAM

on behalf of Dr. Astaphan



I N D E X   O F   W I T N E S S E S

NAME PAGE NO.

---

WALTER GRECZKO

Examination by Mr. Armstrong 8361

ANDREW HOLMES

Examination by Mr. Armstrong 8371

Examination by Mr. Sookram 8384

STEVEN BRISBOIS

Examination by Ms. Chown 8390

Examination by Mr. Salem 8408

Examination by Mr. Pratt 8416

Examination by Mr. Sookram 8418





(iii)

# INDEX OF EXHIBITS

EXHIBIT NO.	DESCRIPTION	PAGE NO.
117B-L	Eleven envelopes containing milky white substance	8365
177	Twelve certificates	8368
178	Curriculum Vitae of Andrew Holmes	8372
179	Certificates of Analysis	8380



---Upon resuming.

THE COMMISSIONER: Good morning. Mr.  
Armstrong.

MR. ARMSTRONG: Yes, thank you, Mr.  
5 Commissioner. Our next witness is Mr. Walter Greczko.

THE COMMISSIONER: You've got to be sworn, Mr.  
Greczko.

WALTER GRECZKO: Sworn

10 THE COMMISSIONER: All right, thank you  
gentlemen. Thank you. Mr. Armstrong?

MR. ARMSTRONG: Just getting wired up because  
I guess I'll be walking around a bit.

THE COMMISSIONER: All right.

15 MR. ARMSTRONG: Oh, forget it! Sorry, I  
should have learned by now how the....

THE COMMISSIONER: All right.

MR. ARMSTRONG: ---to be prepared for these  
things.

20 THE COMMISSIONER: We will have to get you  
dressed before the hearing starts in future.

MR. ARMSTRONG: Fine, thank you, Mr.  
Commissioner.

25 MR. ARMSTRONG:



Q. Mr. Greczko, you are originally from Chapleau, Ontario and graduated from Chapleau Ontario High School.

A. Yes, I did.

5 Q. All right. I have along AIB sheet here of your athletic career but since we're not calling you as an athlete today, I think I will forego the opportunity to review your athletic career?

A. Thank you.

10 Q. You joined the Metropolitan Police Force in 1974 as a constable?

A. Yes.

15 Q. And then you were in the uniformed branch or squad of the Metropolitan Toronto Police Force until 1981, is that correct?

A. Yes.

Q. And from 1981 to 1984 you were assigned to the drug squad of the Metro Force?

A. Yes, that's right.

20 Q. And then in 1984, you were promoted to sergeant?

A. Yes.

Q. And just tell us from '84 to the time -- to fall of '88 what your responsibilities were, please?

25 A. I was originally assigned as a sergeant





to 14 Division, uniform. In 1986, I was transferred to the Morality Bureau, Drug Enforcement Section and I'm there today.

5 Q. All right. Although perhaps not quite because since October 31st, 1988, you have been associated with this Commission as one of its six investigators?

A. Yes.

10 Q. All right. Then, Mr. Greczko, on November 22nd, 1988, did you attend at the residence of Angella Issajenko in the City of Toronto?

A. Yes, I did.

Q. And who went with you?

15 A. Gary McQueen, one of the other investigators, and Gayle Pinheiro, Ms. Issajenko's counsel.

Q. And when you were at Ms. Issajenko's residence, did she show you several bottles or vials of a milky white substance?

A. Yes, she did.

20 Q. All right. And I'm showing to you Exhibit 117-A in this Commission hearing. Is that one of the vials of the milky white substance that Angella Issajenko showed you at that time?

A. Yes, this is one of them.

25 Q. And where did she have these vials when



you were there?

A. Well, we sat in the living-room and she brought them out from another room.

Q. All right. And how many other vials of  
5 the milky white substance were there?

A. There was a total of 12 bottles.

Q. All right. Then do you have the other  
12 -- other 11 bottles here?

A. Yes, I do.

10 Q. Could you just take those out please and we'll mark those as exhibits? All of these, we're going to explain, Mr. Commissioner, of course, what was done with each of ---

THE COMMISSIONER: I understand.

15 MR. ARMSTRONG: ---these, but they are all in envelopes and it's not my intention to open the envelopes. They all contain vials of a milky white substance but they are here.

20 THE COMMISSIONER: Do you want to make them one exhibit? You're not going to open the vial -- the bottles -- I mean, not the vials, the envelopes?

MR. ARMSTRONG: The envelopes? I don't see  
any need to. As counsel, I'm certainly satisfied that  
each one of them contains a vial of milky white substance.  
25 But, if anyone else wants to satisfy their curiosity and,





indeed, if you want your curiosity satisfied?

THE COMMISSIONER: No, I think I'll take your statement.

5 MR. ARMSTRONG: All right. I was thinking that what we would do is simply mark the balance of these 117(b) through whatever number it takes -- what letter it takes to get us to 11.

THE COMMISSIONER: All right. You can handle that Mr. Registrar?

10 THE REGISTRAR: Yes.

MR. ARMSTRONG: All right. Perhaps, in order not to interrupt the flow of proceedings, we can give them to the Registrar to have him mark them.

THE COMMISSIONER: One 117(b)?

15 MR. ARMSTRONG: B through whatever.

THE COMMISSIONER: All right.

MR. ARMSTRONG: And we can treat them as such and have them marked later.

20 ---EXHIBITS 117-B through to 117-L: Eleven envelopes containing a milky white substance

MR. ARMSTRONG:

25 Q. Obviously, Mr. Greczko, what you did with each one of these vials was that at some point in time you



must have put them in one of these envelopes that I take it are used on a regular basis in a typical drug case that one might find in the courts any day of the week?

5           A.    Yes, I took them to the Health Protection Branch of the Health and Welfare Canada and they supply these envelopes. I put a bottle in each envelope and submitted them there.

10           Q.    All right. And the envelopes that you got, each one of them has an identification number on them, is that so?

          A.    Yes, that's right.

          Q.    And the envelopes, the 12 of them, were numbered consecutively from number 753356 through to number 753367, is that so?

15           A.    Yes.

          Q.    Now, I take it that when you took them to the Health Protection Branch you asked the laboratory of the Health Protection Branch to perform an analysis on each of these vials of milky white substance?

20           A.    Yes, I did.

          Q.    And did you subsequently receive the 12 envelopes back containing the vials of the milky white substance together with a certificate related to each one of the envelopes?

25           A.    I did.



Q. All right. And do you have a certificate there for the first vial which was labelled -- was placed in an envelope labelled with the number E-753356?

A. Yes, I do.

5 Q. And could you just read what that certificate --

THE COMMISSIONER: Perhaps you might tell -- where was this taken to and what do they do?

THE WITNESS: I took --

10 THE COMMISSIONER: I know you mentioned the bureau. I understand their assignment is to determine whether any of these vials contain any drug which is a listed drug under the Food and Drug Act, is that right?

THE WITNESS: That's right.

15 MR. ARMSTRONG: Thank you, Mr. Commissioner.

MR. ARMSTRONG:

Q. And as a result of your request to have them perform that analysis you then received the drugs back or the vials of milky white substance back with a certificate pertaining to each one of the 12 envelopes?

20

A. Yes, I did.

Q. All right. And would you, in reference to the first envelope, that is E-753356, read paragraphs 2 and 3 of the certificate that you received back, please?

25





A. "That I did open the said package and did remove therefrom whitish liquid material from which I obtained a sample of a substance. That I duly analyzed and examined the said substance and I found it to contain  
5 a Schedule F drug within the meaning of the regulations of the Food and Drug Act; to wit stanazolol."

Q. All right. And the other 11 certificates relating to each of these substances have identical language; that is, that they identify the drug,  
10 stanozolol, as being analyzed in each one of the vials of milky white substance, is that correct?

A. Yes.

MR. ARMSTRONG: All right. If we could then take, Mr. Commissioner, those 12 certificates, have them  
15 stapled together and have them now marked as one exhibit?

THE COMMISSIONER: A new exhibit number, Mr. Registrar.

THE REGISTRAR: That will be 177, Mr. Commissioner.

20 ---EXHIBIT No. 177: Twelve certificates

MR. ARMSTRONG: Sorry.

THE COMMISSIONER: All right.

25 MR. ARMSTRONG: I overlooked the most



important individual.

THE COMMISSIONER: Well, thank you.

MR. ARMSTRONG: But you might say it's not the first time.

5 THE REGISTRAR: Mr. Armstrong, do you have another one?

MR. ARMSTRONG: All right.

MR. ARMSTRONG:

10 Q. Now, after these vials came back from the lab with the certificates indicating in each of them the presence of the drug stanozolol, did you, at a later date, return five of the vials and send them back to the lab of the Health Protection Branch for further analysis?

15 A. Yes, I did.

Q. And those five vials that you took back to the Health Protection Branch, just probably to confuse lawyers like me, were put into new envelopes and given new numbers in the new envelopes, is that correct?

20 A. That's correct.

Q. Although the original envelopes still form part of the -- part of the exhibit?

A. I just put the old envelope inside the new one.

25 Q. All right. And the five vials then that





were put in the new envelopes and taken back to the Health Protection Branch laboratory were numbered 753434 through number 753438, is that correct?

A. That's correct.

5 Q. All right. And at the same time, Mr. Greczko, did you also submit to the Health Protection Branch lab for analysis a vial containing a milky white substance and labelled with a Winstrol V label obtained from the Sterling Drug Limited company?

10 A. Yes, I did.

Q. And that was placed in an envelope containing the number 753433?

A. That's correct.

15 Q. All right. We're going to hear from a -- from an analyst at the Health Protection Branch to tell us what he was requested to do with the five vials of milky white substance and the Winstrol V vial. So I don't plan on asking ---

THE COMMISSIONER: Thank you.

20 MR. ARMSTRONG: ---Mr. Greczko about that. Those are all the questions I have.

THE COMMISSIONER: Thank you.

MR. ARMSTRONG: Mr. Greczko.

25 THE COMMISSIONER: Any questions? Thank you very much, Mr. Greczko.



MR. ARMSTRONG: Then, Mr. Commissioner, our next witness is Mr. Andrew Holmes.

THE COMMISSIONER: I was wondering who was sitting across the table from me.

5

ANDREW MALCOLM HOLMES; Sworn

THE COMMISSIONER: I think you can do some housekeeping.

MR. ARMSTRONG: Well, I thought ---

10

THE COMMISSIONER: They want them there?

MR. ARMSTRONG: I thought -- one never knows. It does look like a needs housekeeping but....

THE COMMISSIONER: We'll leave it there.

15

MR. ARMSTRONG: That's the real stuff and I prefer to leave it there in case we need it.

THE COMMISSIONER: All right.

MR. ARMSTRONG: Thank you very much.

EXAMINATION BY MR. ARMSTRONG:

20

Q. Mr. Holmes, you have provided me with a copy of your C.V. and I propose to file it as the next exhibit, if I may?

THE REGISTRAR: 178, Mr. Commissioner.

THE COMMISSIONER: Thank you.

25



---EXHIBIT NO. 178: Curriculum Vitae of Andrew Holmes

MR. ARMSTRONG:

5 Q. I'm sorry. I should have put a copy in  
front of you in case that you don't remember all that you  
should about yourself.

Just take a moment, if we may. Looking, Mr.  
Holmes, at the final page of your C.V. as to your  
professional qualifications, it is indicated that you, in  
10 1974, received a B.Sc. degree from Carleton University  
with first class honors, is that correct?

A. Yes, it is.

Q. And then you went on to graduate school.

THE COMMISSIONER: In chemistry.

15 MR. ARMSTRONG: Yes. I'm sorry.

THE COMMISSIONER: I thought that would be  
relevant.

20

25



MR. ARMSTRONG: It may be.

MR. ARMSTRONG:

5 Q. Then in 1977, you received your Master  
of Science degree from Carlton University with a  
specialization in organic chemistry?

A. Yes, that's right.

10 THE COMMISSIONER: Why don't you tell him  
what your thesis was Mr. Holmes? Have you read that, can  
you tell me what that's all about?

THE WITNESS: Yes. I was investigating  
metabolites of tetrahydrocannabinol which is the active  
component of marijuana.

15 THE COMMISSIONER: Thank you.

MR. ARMSTRONG:

20 Q. Then after your Bachelor of Science  
degree you, according to your CV on page two, you joined  
the Health Protection Branch of the Department of Health  
and Welfare in 1976 as a chemist?

A. Yes, I did.

Q. And I note --

THE COMMISSIONER: That's the Government of  
Canada agency?

25 THE WITNESS: Yes.





MR. ARMSTRONG:

Q. And I note that between 1976 and '79 as a chemist you became an analyst under the Food and Drugs Act and the Narcotic Control Act, on February 23, 1977?

5 A. Yes.

Q. And then from 1979 to 1982, you were a chemist in the forensic laboratory of the same agency, that is the Health Protection Branch of the Government of Canada, Department of Health and Welfare?

10 A. Yes.

Q. And again one of your responsibilities was to analyze suspected illicit drugs?

A. That's right.

Q. And from time to time testify in court  
15 as required?

A. Yes.

Q. And then from May 1982 to July 1988, on your CV on page one, you are listed as the Supervisor of the National Mass Spectrometry Service Laboratory. Again,  
20 I take it that was a laboratory connected with the Health Protection Branch of the Department of Health and Welfare?

A. Yes, it is.

Q. And then finally, since July of 1988, and right to the current day, your responsibilities have  
25 been as a Methods Chemist, Forensic Laboratory, same



agency, Health Protection Branch?

A. That's right.

Q. And again among other things your responsibilities include analyzing suspected illicit  
5 drugs, testifying in court, developing methods for illicit drug analysis, and so on.

A. Yes, that's right.

Q. Okay. Then we have heard from Mr. Greczko that he brought to you six envelopes. And I take  
10 it you can confirm that you received six envelopes, and if you can, will you tell us what was in the six envelopes?

A. Okay. I received six envelopes from our sample control at Health Protection Branch. Do you want me to identify them by number?

15 Q. No, no, I don't think that's necessary just --

THE COMMISSIONER: Well, Mr. Greczko said --

20 MR. ARMSTRONG:

Q. Mr. Greczko has already told us and I take it that what you received was, first of all, five vials of a liquid that we have described over and over again as a milky white substance, sometimes it appears in  
25 that state that appears now, that is a milky white



substance on the bottom with a clear liquid resting on top. And did you receive five vials that contained the liquid with that appearance?

A. Yes, I did.

5 Q. And did you also receive in the sixth envelope a vial containing a Winstrol V label, of the Winthrop Division of the Sterling Drug Limited?

A. Yes, I did.

10 Q. Did that vial of Winstrol-V also contain within it a milky white substance?

A. Yes, it did.

15 Q. And the vial is in one of these envelopes, so, I am not going to dig it out, but, again, was it a vial that looked like the one in my hand now with a white and purple label on it, Winstrol-V, et cetera.

THE COMMISSIONER: Well, we have the Exhibit in there some place.

MR. ARMSTRONG: Yes, we do.

20 THE WITNESS: It looked the same as that vial.

MR. ARMSTRONG: All right. I just didn't want to dig it out because --

25 THE COMMISSIONER: I gather each of these vials is given a number. I think that's what you started to say.





THE WITNESS: Yes, each one came to me in a sealed envelope.

THE COMMISSIONER: All right.

5 MR. ARMSTRONG:

Q. All right. Then, did you -- well, let me ask you this first of all. What was it that you were asked to do in reference to these exhibits that you got?

10 A. I was asked to analyze each one of them to see what components were in each one, and also to compare the five that were -- the five bottles that were unlabeled with the Winstrol-V sample.

15 Q. All right. And in setting about your task, did you obtain or did you have on file at the Health Protection Branch a monograph from the Sterling Drug Limited as to the components of Winstrol-V?

A. Yes, there was a monograph available.

20 Q. All right. What did that monograph from the Sterling Drug Limited indicate were the components of Winstrol-V?

A. It indicated that Winstrol-V contained Stanazolol, water, Sodium chloride, Thimerosal, and Polysorbate 80.

25 Q. All right. Now, first of all, Mr. Holmes, we are interested in the Stanazolol. Did you



conduct an analysis of the six bottles, the Winstrol-V bottle and the five bottles containing the milky white substance, to determine if each of them contained Stanazolol?

5 A. Yes, I did.

Q. What conclusion did you come to?

A. Each of the five unlabeled bottles and the Winstrol-V-labeled bottle did contain Stanazolol.

10 Q. All right. Then, having determined that, I assume you set about to determine whether or not the other components, that is water, Sodium chloride, Thimerosal, and Polysorbate 80, were also in the Winstrol-V and the five unlabeled bottles containing the milky white substance?

15 A. Yes, I did.

Q. Now, did you determine that each one of the bottles contained water?

A. Yes, I did.

20 Q. Did you determine that each one of the bottles contained Sodium chloride?

A. Yes, each contained Sodium chloride.

Q. Now, in regard --

THE COMMISSIONER: And Stanazolol he has already determined.

25 MR. ARMSTRONG: And Stanazolol, yes, of



course, just taking these one at a time.

THE COMMISSIONER: All right.

MR. ARMSTRONG:

5 Q. And what about Thimerosal, did you come to a finding in respect of the component Thimerosal?

A. Yes, my tests indicated that Thimerosal was present in all six of the samples.

10 Q. All right. Did you come to any opinion as to the presence of the substance Polysorbate -- perhaps that's not the right word, the component Polysorbate 80?

15 A. Yes. My tests indicated that Polysorbate 80 was in the Winstrol-V-labeled bottle and the other five unlabeled bottles.

20 Q. All right. You then, sir, have provided a Certificate of Analysis in relation to each of the five milky white substance unlabeled bottles indicating the presence of Stanozolol. And also a certificate finding that Stanozolol was present in the Winstrol-V-labeled bottle. Is that correct?

A. Yes.

25 Q. And your certificates also go on to indicate the presence of those other elements, that is water, Sodium chloride, Thimerosal, and Polysorbate 80, in



each of the five unlabeled milky white substance bottles  
and in the sixth bottle labeled Winstrol-V?

5           A.    My certificate dealt strictly with the  
Stanazolol. I had an attached letter referring to the  
other components that I found in the samples.

MR. ARMSTRONG:   All right.

10           I am going to file that now, if I could.  
These documents that have been referred to, Mr.  
Commissioner, are all labeled -- are all, rather, attached  
and stapled together.

THE COMMISSIONER:   All right.   This is the  
first. This is the certificate that Mr. Holmes is  
referring to.

MR. ARMSTRONG:   Yes.

15           THE COMMISSIONER:   And that refers to  
Stanazolol.

MR. ARMSTRONG:   Yes.

THE REGISTRAR:   179, Commission.

THE COMMISSIONER:   Thank you.

20

--- EXHIBIT NO. 179:   Certificates of Analyst

MR. ARMSTRONG:

25           Q.    Let's, Mr. Holmes, just take a moment.  
If we look at the first certificate in what is now marked





as Exhibit 179, you indicate that you opened the package,  
found a bottle labeled as Winstrol-V, and that you  
conducted your analysis. And you say in paragraph 3:

5                    "That I duly analyzed and examined the said  
                     substance and I found it to contain a  
                     Schedule F drug within the meaning of the  
                     regulations to the Food and Drugs Act, and  
                     to wit: Stanozolol."

10                   And further you attached to that the  
document that you have just referred to. And perhaps you  
might just take a moment and read that, please.

                    THE COMMISSIONER: That also refers to the  
Winstrol-V bottle, I take it.

15                   MR. ARMSTRONG:

                    Q. Yes. Can you just read the second page  
of the document that I have just read?

                    A. You would like me to read it out to  
you?

20                   Q. Yes, please.

                    A. "The exhibit indicated below has been  
analyzed and found to contain a  
prescription drug listed in  
Schedule F of the Regulations made  
25                   pursuant to the Food and Drugs Act as



attested to in the attached

'Certificate of Analyst'."

Q. All right. And then you --

A. Then I give the identification.

5

Q. Yes.

A. With the lab number; the envelope number, which was E 753433; the submitting officer, Sergeant Greczko; the date the sample was received; and the method that was submitted, by depository box.

10

Q. All right.

A. And then I stated:

"The analysis has also indicated the presence of the other substances listed below: water, Sodium chloride, Thimerosal, Polysorbate 80."

15

Q. And then if we look at the next certificate, it relates to one of the five bottles of the milky white substance. And it is in similar form, that is the certificate relating to Stanazolol and the attachment indicating the presence of the same four components, that is water, Sodium chloride, Thimerosal, and Polysorbate 80?

20

A. That's right.

Q. And all five of the unlabeled bottles containing the milky white substance contained from your work, indicated the presence of the same elements?

25



A. Yes.

Q. The same components?

A. That's right.

5 Q. Sorry, that was a little convoluted,  
but I think I have got it out.

THE COMMISSIONER: That's Exhibit 179, was  
it?

THE REGISTRAR: Yes, 179.

THE COMMISSIONER: Thank you.

10

MR. ARMSTRONG:

Q. Now, I take it that for the  
non-scientist that if -- well, I think that's those are  
all the questions I have.

15 THE COMMISSIONER: Thank you. All right.  
Any questions? All right.

Well, thank you very much for your  
assistance -- I am sorry, I looked down that way, I didn't  
see you rising, Mr. Sookram, sorry.

20 MR. SOOKRAM: I have a bad back, I couldn't  
rise as quickly as I wanted to.

THE COMMISSIONER: All right. Well, you  
are standing now.

MR. SOOKRAM: Thank you so much.

25





--- EXAMINATION BY MR. SOOKRAM:

Q. Sir, my name is David Sookram, I look after the interests of Dr. Astaphan.

5 Had you been told, sir, that these five bottles that were given to you for analysis had already been analyzed?

A. Yes, I was told that.

Q. You were told. Were you told also that the previous analysis showed that the bottles contained Stanazolol?

10

A. I believe I was told that as well, yes.

Q. What, sir, is really the purpose of giving you a bottle from Sterling, because I don't understand it.

15 THE COMMISSIONER: I can't hear.

MR. SOOKRAM:

Q. Why were you given a bottle from Sterling with Winstrol to compare with the five samples given to you.

20

THE COMMISSIONER: Well, that was the instructions of counsel. Mr. Greczko is part of our staff. He took the samples to the analyst.

25



MR. SOOKRAM: Yes, I appreciate that, sir.  
This is a -- this gentlemen, sir, is a highly qualified  
scientist.

5 THE COMMISSIONER: Yes, but I think you  
asked him. He wouldn't know. He got the bottles to test.  
That's what he's --

MR. SOOKRAM: He got five bottles to test,  
but he was given a Winstrol bottle as well.

10 THE COMMISSIONER: That's right.

MR. SOOKRAM:

Q. Did you need a Winstrol bottle, sir, to  
tell you whether or not the other five bottles contained  
stanazolol?

15 A. No, I didn't.

Q. You didn't.

THE COMMISSIONER: But he also tested the  
components of Winstrol V.

MR. SOOKRAM: I appreciate that, sir.

20 THE COMMISSIONER: And not just accepting  
the manufacturer's statement that was in it.

MR. SOOKRAM: But he did say he didn't need  
the bottle.

25 THE COMMISSIONER: He could analyze it.



MR. SOOKRAM: Precisely, sir. All I was concerned about was why he was given it.

Q. Mr. Holmes, sir, you heard the testimony. There were 11 other bottles tested before in the same lab. Is it the same lab?

A. Yes, it's the same lab.

Q. And you had no part in the earlier testing?

A. No, I didn't.

Q. Now, when the five bottles were sent to you, did you examine the label?

A. The closure on the bottle?

Q. Yes.

A. Yes, I did.

Q. Could I have one of the bottles, please.

THE COMMISSIONER: Mr. Armstrong, can you get one.

MR. ARMSTRONG: Well, which one?

MR. SOOKRAM: Any one. Any one of the five.

MR. ARMSTRONG: I'm sorry, I'll have to check the numbers.

THE COMMISSIONER: I have the numbers here.

MR. ARMSTRONG: 433 is the Winstrol A. 434



I believe it is.

THE COMMISSIONER: 753434.

MR. ARMSTRONG: There they are. Pay your money and take your choice, Mr. Sookram.

5 MR. SOOKRAM: Any one will do.

MR. ARMSTRONG: How about 435.

MR. SOOKRAM: Thank you.

10 THE COMMISSIONER: We already have an earlier exhibit right on your desk there. It's the same thing.

MR. SOOKRAM: This was the one that was examined by this gentlemen. I need to talk to him about it.

15 THE COMMISSIONER: All right.

MR. SOOKRAM:

Q. When these bottles came to you, sir, was the metal band around them, all five of them?

20 A. There was a metal band, but it was broken.

Q. The metal band was broken?

A. Yes.

Q. And there was this interior rubber stopper?

25 A. That's right.





Q. Did you examine, sir, the rubber stopper at all?

A. I just noted that there was--I called it a rubber septum, but I didn't make any notes beyond that.

Q. You don't have any notes at all?

A. Well, I have notes saying that I found a glass bottle with a rubber septum, a metal seal which was broken and masking tape over the seal.

Q. Looking at the rubber septum, sir, were you able to determine how many times a needle might have gone through it?

A. No, I didn't determine that.

Q. You didn't determine it. You didn't examine to see whether or not previous samples had been taken? Could you have been able to tell whether or not needles had been pushed in here five times, four times, ten times?

A. No, I couldn't do that.

Q. Were you told where these samples came from?

A. No, they just came to me from Walter Greczko.

Q. So I take it, sir, am I right in saying that you have no way apart from your analysis of knowing



whether or not things had been added to the bottle or taken away from the bottle before you got it?

5 A. Well, except that I knew that the samples had been analyzed previously, so I assumed that some material had been taken out previously.

Q. I'm sorry. Did I stop you?

THE COMMISSIONER: We have already heard that.

10 MR. SOOKRAM:

Q. Yes, we know that, and so then in that case you would have expected, if you had examined the septum, you would have expected to see one perforation of a needle?

15 THE COMMISSIONER: Unless it had been removed.

A. Not necessarily because the metal band had been removed which allows you to take the rubber septum off so somebody could have taken the septum off and removed the material.

20

MR. SOOKRAM:

Q. All the metal caps had been removed?

A. They had all been broken --

25 Q. All been broken.



A. -- allowing them to be taken off.

Q. So when the sample came to you, it came just with the septum?

5 A. And the metal band loosely around the top and then taped on.

Q. Yes, and I get your drift that you didn't examine the septum to see whether or not more than one sample had been taken or added. You have no way of telling us whether anything had been added to these  
10 bottles or taken away from these bottles before you got them?

A. No.

Q. Okay. Thank you so much. No further questions.

15 THE COMMISSIONER: Thank you, Mr. Sookram. Any further questions? Mr. Armstrong?

MR. ARMSTRONG: No, I have no further questions. THE COMMISSIONER: Well, thank you very much, Mr. Holmes.

20 MR. ARMSTRONG: Might we take five minutes and we'll do some housekeeping now.

---Short adjournment.

25 --- Commission resumed.



THE COMMISSIONER: Ms. Chown?

MS. CHOWN: Yes, Mr. Commissioner. Our next witness is Mr. Steven Brisbois and he is here with his counsel, Mr. Harvey Salem.

5 MR. SALEM: Good morning, Mr. Commissioner.

THE COMMISSIONER: Mr. Salem, how are you?

MR. SALEM: Fine, thank you.

THE COMMISSIONER: Good. Nice to see you again.

10

STEVEN BRISBOIS, Sworn

THE COMMISSIONER: Miss Chown?

15 EXAMINATION BY MS. CHOWN:

Q. Yes, Mr. Commissioner. Mr. Brisbois, I understand that you were born in Timmins, Ontario, in 1961?

A. Yes, I was.

20 Q. And you completed your high school education there, graduating from the Ecole Secondaire in 1979?

A. That's right.

25 Q. You might have to speak a little bit more into the microphone. Perhaps tilt it up a bit. I'm





not sure it's picking your voice up too well.

Following your graduation from high school, you attended the Northern College of Applied Arts and Technology?

5 A. Yes.

Q. Is that in Timmins?

A. Yes, it is.

Q. And you graduated from there in 1983 with a diploma in Industrial Mechanics?

10 A. Yes.

Q. And following that at some point you moved to Toronto?

A. That's right.

Q. And when was that?

15 A. In the fall of '83.

Q. And, Mr. Brisbois, I understand that you first became involved with weightlifting and body building in or about 1979 when you were a college student?

A. Actually, no, it was in '82.

20 Q. All right. And had you had any involvement at all in weightlifting while you were at college?

A. Playing around.

Q. Nothing very serious?

25 A. No, not at all.



Q. And when you became involved in the body building area in 1982, did you subsequently go on to compete in various competitions in the body building area?

A. Yes, I did.

5 Q. And we have not had the benefit of hearing any evidence about body building to date. Can you assist me as to how the competitions are organized? First of all, are there various weight classes?

10 A. Yes, there are. There are different weight classes in the amateur ranks.

Q. And what class were you in when you were competing as an amateur?

A. Lightweight.

15 Q. And I understand that you competed as a lightweight in the body building competitions in Ontario?

A. That's right.

Q. And as well in the eastern Canadian championships?

A. Yes.

20 Q. And also in the Canadian championships?

A. Yes, I did.

Q. And in general terms, can you tell us how you did in those various competitions?

A. Very well. All first place.

25 Q. And, in fact, in 19--



THE COMMISSIONER: What does it involve actually? What was the contest?

THE WITNESS: Body building? I'm sorry.

THE COMMISSIONER: I don't like admitting  
5 this, but I'm not familiar particularly with body  
builders.

THE WITNESS: Not too many people are.  
I'll give you a little brief history. What we do is we  
train with weights to sculpt our physiques. We are known  
10 as artists. We pose on stage in posing trunks, and the  
one that's in the best condition with the best posing,  
best charisma on stage is the one that comes out on top.

THE COMMISSIONER: And you were first?

THE WITNESS: Yes, sir, I was.

15 THE COMMISSIONER: Mr. Salem, have you  
tried this?

MR. SALEM: Mr. Commissioner, I think it's  
better that I'm the "before" and he is the "after".

THE COMMISSIONER: All right.

20

MS. CHOWN:

Q. And in fact, Mr. Brisbois, not only did  
you obtain first place standings provincially within  
Canada, but I understand in 1986 you participated in the  
25 Mr. Universe competition which was held in Tokyo, and tell



us how you did in that competition.

A. I also won that competition.

Q. And who was that competition open to?

5 A. To all the 130 odd nations in the world  
that are part of the IFPB, The International Federation of  
Body Builders.

Q. You obtained first place in the  
lightweight class?

A. In the bantamweight class.

10 Q. Bantamweight?

A. Yes, I dropped that weight class in the  
international competition.

15 Q. And you have also told me that that  
meet in fact was an amateur meet. There were no  
professional body builders present?

A. That's right.

THE COMMISSIONER: What year was that, Mr.  
Brisbois?

THE WITNESS: 1986.

20 THE COMMISSIONER: Thank you.

MS. CHOWN:

25 Q. And general terms prior to 1986, is  
there any testing for banned substances that is done at  
competitions for body builders?





A. In various shows, but as far as I know, I'm not sure of which ones.

Q. And, for instance, in the 1986 Mr. Universe championship, was there any testing done?

5 A. Yes, it was supposedly the first one.

Q. The first time that an amateur Mr. Universe competition had been tested?

A. That's right.

Q. Now following your success in the Mr. Universe competition, I understand that the next year, that is 1987, you decided to turn professional?

A. That's right.

Q. And that, I believe, was either in late January or early February 1987?

15 A. That's right.

Q. And as a professional body builder, are there then a different series of competitions that you are eligible to compete in?

A. Yes, there is.

20 Q. And have you in 1987 and 1988 and indeed up to the present participated in various professional body building championships?

A. Yes. I have.

Q. And I understand you did compete as recently as the last week or so?

25



A. Yes, I did.

Q. And what competition was that?

A. It was the professional international Grand Prix which was held in Niagara Falls, New York.

5 Q. And how did you place there?

A. I placed fourth.

Q. And what class are you in as a professional body builder?

10 A. No weight classes in professional ranks.

Q. So it's quite--

THE COMMISSIONER: It's just open competition?

THE WITNESS: Yes, it is.

15 MS. CHOWN:

Q. So you were competing against professional body builders of all weights?

A. Yes, that's right.

20 Q. Mr. Brisbois, you therefore have had some considerable experience in the area of body building yourself, both as a personal activity and on a competitive level. Can you tell us, first of all, of your information and impressions as to the extent of the use of  
25 steroids in bi-body builders?



A. In body building I guess it is known that body builders are supposed to be avid users of anabolic steroids in all ranks, amateur and professional.

5 Q. What is it that body builders are seeking to gain by the use of anabolic steroids?

A. More mass, more strength, faster recuperative abilities, better athletic performance overall.

10 Q. And, Mr. Brisbois, I would like to turn now to your own involvement with steroids. Did you as part of your training program as a body builder ever use steroids?

A. Yes, I have.

15 Q. And I understand that your first involvement with steroids came about in 1985?

A. That's right.

Q. And who did you obtain those steroids from?

20 A. I was under the guidance of Dr. Astaphan.

Q. How did it come about that you went to see Dr. Astaphan?

A. As far as I know, from word of mouth in the gym I was training in.

25 Q. Had you heard about him as a doctor



that dealt with sports and--

A. Yes, that's right.

Q. And did you then start to go and see Dr. Astaphan in 1985?

5 A. Yes, I made an appointment to see him.

Q. And I understand that on and off in 1985 and '86, you continued to see him as a patient?

A. Yes, I did.

10 Q. And was he as well acting as your family physician during that period?

A. Yes, he was.

Q. And did you receive treatment for him for injuries and illnesses and so on over that time period?

15 A. Sorry, the answer to the last question of family physician was no. I actually had another family physician. And the answer to that question you just asked me now is no, he did not treat me for family physician-related things.

20 Q. You were seeing a family physician that you had had as your own physician prior to seeing Dr. Astaphan?

A. That's right.

25 Q. During the time period that you saw Dr. Astaphan over 1985 and 1986, what forms of anabolic





steroids did you receive from him?

A. I'm not aware of exactly what I was taking. It was supposed to be Winstrol, which is stanozolol, mixed with B12 injectable, from what I understand.

Q. All right. And what was the appearance of the fluid in the syringe that you saw Dr. Astaphan administer?

A. A white milky substance.

Q. And can you assist us at all at this point as to how many injections you would have received and over what period from Dr. Astaphan?

A. I may not be able to be exact on this, but roughly once a week, maybe twice if I'm not mistaken, but on the average once a week I would go see him.

Q. And over what period would you continue to receive these injections?

A. For only a period of about -- anywhere between five and eight weeks.

Q. All right. And did you notice any effect yourself as a result of receiving the injections?

A. Yes, I did.

Q. What did you notice?

A. I noticed my strength increase, I noticed my recuperative abilities were faster, I could



train a lot more intensely and I became very aggressive  
and moody.

THE COMMISSIONER: And moody?

THE WITNESS: Yes, sir.

5

MS. CHOWN:

Q. Did you ever receive any tablets from  
Dr. Astaphan, steroid tablets?

10

A. As far as I know, yes. As far as I can  
recall.

Q. And what were those tablets?

A. If I'm not mistaken, it has been a few  
years. They were blue tablets.

15

20

25



Q. All right.

THE COMMISSIONER: Well, Dianabol -- we've heard about Dianabol being a blue tablet.

THE WITNESS: It probably was Dianabol. I'm  
5 not really aware -- I wasn't told exactly what they were.

MS. CHOWN:

Q. And were you receiving the tablets at the same time you were receiving the injections?

10 A. Yes, I was.

Q. We understand that is called stacking?

A. Mm-hmm.

Q. And how many tablets would you be taking on a daily basis?

15 A. That, I can't recall.

Q. Now, we've heard from other athletes that Dr. Astaphan ceased to practice in Toronto in late 1986 and what I understand is you saw him some times in 1986 but when he left, obviously then your relationship with  
20 him ceased, as far as having him as a physician?

A. It actually ceased far before that.

Q. All right. And did you go on and obtain steroids from any other source after you had ceased to be Dr. Astaphan's patient?

25 A. Yes, I did.



Q. And what kinds of steroids were you obtaining?

A. Stuff like stanozolol, again, Dianabol, Anavar, which is oxandrolone.

5 THE COMMISSIONER: These are all in pill form then -- are these all pills?

THE WITNESS: Some pill, some injectable. Injectable primabolin, Depo-T and testosterone.

10 MS. CHOWN:

Q. And were these particular kinds of steroids that were generally favored by body builders as producing results that body builders were looking for?

A. Yes, they were.

15 THE COMMISSIONER: And where did you get those?

THE WITNESS: From the black market, people in the gym.

20 MS. CHOWN:

Q. And did you ever have an experience in buying on black market where you received product that was not what you expected it to be?

A. Yes, I have.

25 Q. Can you tell me very briefly about that?





A. Well, I purchased anabolic steroids in the past where they weren't -- they weren't real. It's happened on numerous occasions.

5 THE COMMISSIONER: In the black market you mean?

THE WITNESS: Yes, sir, that's right. And I did not know what it was because I did not notice results.

MS. CHOWN:

10 Q. You're saying that you bought something that you legitimately believed to be a steroids, you began to take it and when you notice nothing happening, you made an assumption that in fact you had got a bogus product?

A. That's right.

15 Q. And am I correct in understanding that that happened to you both with respect to tablets and injectables?

A. Yes, it is.

20 Q. And, in fact, what -- let me just go back. As far as the injectables, were you now injecting yourself?

A. Yes, I was.

25 Q. And am I correct in understanding that you subsequently found out that one of the forms of injectables that you had purchased was, in fact, peanut



oil?

A. Yes, that's right.

Q. And contained nothing else but peanut  
oil?

5 A. That's right.

Q. And that you had been injecting it into  
yourself?

A. That's right.

Q. Now, during the time that you were  
10 purchasing your own steroids on the black market, as you  
referred to it, were you receiving any kind of monitoring  
from a physician?

A. I was seeing my family physician to  
monitor me.

15 Q. And he was aware that you were taking  
steroids?

A. Yes, he was.

THE COMMISSIONER: Did you prescribe any  
steroids for you?

20 THE WITNESS: Sorry?

THE COMMISSIONER: Did your family physician  
prescribe steroids for you?

THE WITNESS: No, he did not, sir.

25 MS. CHOWN:



Q. Mr. Brisbois, I would like now to direct your attention to a telephone call that you received in May or June of 1988 and that was a telephone call from Dr. Astaphan?

5 A. That's right.

Q. Do you recall that telephone call?

A. Yes, I do.

Q. Would you please tell us, as best as you can now recall, what Dr. Astaphan said to you in that  
10 telephone call?

A. He had called me up at home and asked me if I knew --

THE COMMISSIONER: What is this now, '88?  
1988?

15 THE WITNESS: Yes, sir, May of '88.

THE COMMISSIONER: All right.

THE WITNESS: And he called me up and asked me if I knew of anybody that could get him some human --  
sorry, some growth hormone.

20

MS. CHOWN:

Q. Growth hormone?

A. That's right. And I told him that I may know of somebody at the time that supposedly has had some,  
25 from what I heard.



Q. All right.

A. And he wanted to purchase ten bottles from this person. And, in the meantime, he made arrangements and I received some money.

5 Q. All right. We'll just come to that in a minute. So, the substance of the phone call was Dr. Astaphan asking you if he knew where you could obtain growth hormone?

A. That's right.

10 Q. He wished to buy ten bottles of it?

A. Yes.

Q. Was there any discussion between you and Dr. Astaphan in that telephone call as to what the price would be?

15 A. Yes, there was.

Q. What did you say?

A. If I'm not mistaken, somewhere around between \$700 and \$900 per bottle.

20 Q. And following that telephone conversation, did an individual deliver to you some money?

A. Yes, that's right.

Q. How much money did you receive?

A. \$3,600 American.

25 Q. All right. And that was to go towards the purchase of the growth hormone?





A. That's right.

Q. And what did you do with the money?

A. I handed over the money over to the individual who was supposedly supposed to get the growth hormone.

Q. All right. And did you receive growth hormone from this individual?

A. No, I did not.

Q. All right. Can you tell me what happened?

A. Apparently, the money was lost through a transaction in the United States, which was told to myself.

Q. This individual told you that he had lost the money in a transaction in the United States?

A. That's right.

Q. All right. And did you -- you indicated to us you received no growth hormone from this individual. Did that individual ever return the money to you?

A. No, he did not.

Q. And did you have any further communication with Dr. Astaphan to advise him of the state of affairs?

A. Yes, I did.

MS. CHOWN: Mr. Commissioner, those are all



the questions I have for this witness.

THE COMMISSIONER: Thank you. Any questions?

MR. PRATT: I might have one or two.

MS. CHOWN: I don't know if Mr. Salem wishes  
5 to have any questions at this time.

MR. COMMISSIONER: Oh, I'm sorry, have you any  
questions, Mr. Salem?

MR. SALEM: Yes, I'd like to clarify a few  
matters.

10 THE COMMISSIONER: Yes, please do. You have  
two chances, now and later, if you want so, take a chance,  
if you want?

MR. SALEM: That's wonderful.

EXAMINATION BY MR. SALEM:

15 Q. Mr. Brisbois, I don't think that -- it  
might not be clarified as to the procedures in respect to  
both amateur and professional body building. Prior to the  
Mr. Universe Contest in 1986, prior to that time, was  
there any testing for steroids before any contest?

20 A. No, there wasn't.

Q. And are you saying this within the  
amateur ranks as well as the professional ranks?

A. That's right.

25 Q. Okay. So, when we come to 1986 and this  
contest that you in fact won, that was the first amateur



contest that was tested, to your recollection?

A. Yes, sir, at an international level.

Q. And I understand that at the present time, there are plans to test as a routine in respect to the professional body builders?

A. That's right.

Q. Do you know -- can you give us any kind of detail in respect to those plans?

A. They start drug testing the professional men's body builders in January of 1990.

Q. And what about the women?

A. They've already been testing them for a few years right now.

Q. Okay. And when you say this -- are these -- is there a procedure on the tests or are these random tests?

A. I'm not sure how they're going to do it.

THE COMMISSIONER: Is this by the international association? You mentioned the International Body Builders Federation?

THE WITNESS: The IFBB along with the IOC; they're working together.

THE COMMISSIONER: This is going to be professional, as well?

THE WITNESS: Yes, it will, sir.



THE COMMISSIONER: Thank you.

MR. SALEM:

Q. What is the reason for this? Is there  
any reason why today or last week suddenly -- they've  
5 suddenly decided to test?

A. They've been deciding to test the  
professional ranks for a period -- a long period of time  
now but I think it's probably just to -- to bring the  
sport of body building to a more respectable level and to  
10 hopefully get it into the Olympics where it will be a  
demonstration sport, if I'm not mistaken, in the next  
Olympics.

Q. Okay. What is -- what is your opinion in  
respect to this -- this testing now? Is this something  
15 that you look forward to, something that you feel has  
taken advantage of your freedom?

A. Not at all. I'm actually looking forward  
to it.

Q. And why is that?

A. To clean up the sport. To make people  
20 realize that you don't have use performance enhancing  
drugs, even in body building, to become the best you can  
be, I guess.

Q. All right. When you first started your  
25 body building and you came to Toronto, when you started





working out at the recognized gyms that a lot of the professionals and the semi-professionals work out, was this the first time that you ever heard of steroids or when was the first time you ever heard of them?

5                   A.    I have heard of steroids in the past but I had no knowledge on them whatsoever until I moved to Toronto.

                  Q.    And the general intelligence on the street, in respect to steroids I mean, what was it  
10                   supposed to do? Were these some magic alixir that you take and then you don't have to work out anymore and suddenly the body becomes chisled?

                  A.    Most people would tend to think that way, yes.

15                   Q.    What was the street thinking, your thinking, when you first came here and you heard about these steroids?

                  A.    That they would make you bigger, stronger.

20                   Q.    Without any work from your end?

                  A.    Somewhat like that, yes.

                  Q.    And when you started to take the steroids, was that, in fact, what happened?

                  A.    Not necessarily. We still had to work  
25                   very, very hard to get where we are today and even to put



those extra pounds of muscle on and proper nutrition and everything.

Q. So, what did the steroids do for you? I mean, did it mean that if you worked out, say, for an hour on a certain muscle group before you took the steroids, what would it mean when you took the steroids and you started working out for that hour?

A. It would mean you can train more intensely, you can put more into your workout and able to train harder and recouperate a lot faster after that.

Q. For the hour or could you work out for two hours then?

A. You could work out for two hours, if you ---

THE COMMISSIONER: And you recover faster and you can go back in the next day in better shape, isn't it?

THE WITNESS: Yes, sir, exactly.

THE COMMISSIONER: That's one of the advantages, I understand?

THE WITNESS: That's right.

MR. SALEM:

Q. In respect to your knowledge or the street knowledge from the other body builders and that grouping, was there an awareness that there was a certain



danger in taking steroids?

A. Yes, there was.

Q. And what was this? Was it a black and  
white kind of thing? If I take steroids, I endanger  
5 myself, or was there a way around this that you  
understood?

A. I just don't think that anybody -- it  
mattered to anybody exactly what type of side effects or  
problems that occurred with steroids. It didn't matter to  
10 most people.

Q. All right. Was there a belief on the  
street that the only time anyone would ever get into  
trouble with steroids is by abusing them?

A. That's right.

15 Q. And that if you took them in moderation  
or you took them with some sort of guidance by a  
professional, that there isn't any danger? Was that a  
belief?

A. Exactly.

20 Q. And is that why you went to Dr. Astaphan?

A. That's right.

Q. And as you felt there was no danger as  
long as you were -- as long as someone who knew what they  
were doing was guiding you?

25 A. Exactly.



Q. And in fact, as a result of your taking of the steroids and going through this, did that pan out? I mean, did you feel that you were perfectly safe, or after thinking about it, would you -- have you changed your mind?

A. I've changed my mind.

Q. You talked about a -- about being irritable and that. Do you relate that to taking steroids?

A. Definitely.

Q. And could you describe that in a little more detail?

A. I guess I'm somewhat of a moody person inside, in the first place, but by taking the steroids I did become more aggressive. I didn't realize the changes that were happening. I just -- I was too excited about the gains I was making and about progressing with the use of anabolic steroids although I didn't realize it was causing me a lot more harm all around me, not only in my health but also in my surrounding, as an atmosphere with family, friends and so on. I became very irritable and I -- from my experience, I just didn't feel it was worth it.

Again, from all these studies that were coming out recently, about what steroids can do to you and





exactly what they can do in the future with -- nobody really knew about, I just didn't think that it was worth the risk to continue taking them.

THE COMMISSIONER: When did you stop, Mr. Brisbois? I gather you've stopped taking steroids?

THE WITNESS: Yes, sir, I have.

THE COMMISSIONER: When was that?

THE WITNESS: It's been roughly between eight months to a year I haven't been taking any.

MR. SALEM:

Q. And you found that in this contest, two weeks ago, that didn't harm your competitive ability?

A. Not at all, sir.

Q. Now, we've heard a brief situational thing where you went for -- on behalf of Dr. Astaphan and attempted to purchase some steroids for -- or growth hormone. Why do you think he phoned you?

A. Because I happened to be the first Canadian to ever win the world championships, the first Canadian to become a professional body builder and I think my name was pretty well known all over the country to body building extent and because Dr. Astaphan and I were associates, I guess if that's what you want to say, before, that's probably the reason why he called me up and



asked me if I had any knowledge of it.

Q. Was there some sort of arrangement? Were you going to make any kind of economic gains from this?

A. Not at all.

5 Q. Have you ever sold steroids?

A. No, sir.

MR. SALEM: I think that covers all my questions.

10 THE COMMISSIONER: Thank you very much. Any questions?

MR. PRATT: Just a few, sir.

EXAMINATION BY MR. PRATT:

15 Q. Morning, sir. My name is Alan Pratt and I am representing Charlie Francis. I'd just like to ask you a few questions about the general, if I can call it that, the training environment that you find yourself in as a body builder. I take it, sir, you train at gyms around the City of Toronto, do you?

A. Yes, I do.

20 Q. Have you trained at a number of locations or do you particularly spend most of your training time at one?

A. I trained at a number of locations since I've been living all over Toronto in the past few years.

25 Q. So, that's what, over the last five or



six years?

A. Yes, five, six years.

Q. And I think you mentioned the black market briefly and, without really going into details, I take it you found that in the various gyms where you've trained that anabolic steroids are available through the black market, the black market sources, is that right?

A. That's right.

Q. Would you say that they're fairly widely available?

A. Yes, they are.

Q. In just about any gym that you found, would you say that they tend to be available, if you know who to ask?

A. I would imagine so, yes.

Q. And as you've trained, sir, I take it you train not only with other body builders but with athletes of other disciplines, is that right?

A. Is that directed to myself?

Q. Well, just your own experience? While you're training, you don't train at a special location just for body builders. You find yourself with other types of athletes, as well?

A. Yes, surrounded by other athletes but I train by myself.



Q. I see. No, I simply mean the people who are around you as you're training?

A. Yes, yes, that's right.

Q. And would you have found yourself, from time-to-time, with track and field athletes during your training?

A. I've -- I can't recall noticing who was a track and field athlete in the gyms while I was training there. There may have been some.

Q. It's possible? Would you say that anybody who trained in the gyms where you have been training in Toronto, would be aware of the availability of steroids?

A. Most probably, yes.

Q. And this would be the case whether or not they -- whatever sport they were training in?

A. That's right.

MR. PRATT: All right. Thank you.

THE COMMISSIONER: Thank you. Any questions?

Mr. Sookram?

MR. SOOKRAM: Yes.

EXAMINATION BY MR. SOOKRAM:

Q. My name, sir, is David Sookram; I represent Dr. Astaphan. You told us, sir, that you heard of Dr. Astaphan in a gym?





A. Yes, sir.

Q. Was it Gold's Gym?

A. Yes, sir.

5 Q. And many of the people there, in Gold's  
Gym, sell steroids, don't they?

A. I don't know that, sir. I'm not aware of  
how many people sell drugs in Gold's Gym.

Q. But there were people selling drugs in  
the gym?

10 A. Yes, there was.

Q. Supplies were available?

A. Yes, there was.

Q. You didn't want supplies from them?

A. No, sir.

15 Q. No. So, you made an appointment to see  
Dr. Astaphan?

A. That's right.

Q. And when you went there, the doctor asked  
you what you knew of steroids, did he not?

20 A. I can't recall that, sir.

Q. But he may have asked you what you know  
about it?

A. He may have.

25 Q. And you told him that you know what was  
in the market?



A. No, I don't think so.

Q. You don't think so? You see, sir, my instructions are that you went to Dr. Astaphan and you told him that you wanted to go on steroids. Do you agree with that?

5

A. No, I did not tell him I wanted to go on steroids.

Q. He suggested that you go on steroids?

A. I asked his advice first.

10

Q. Yes?

A. On steroids.

Q. And then he asked you what you knew about the dangers of steroids?

15

A. I can't recall that question, about the danger of steroids, no.

Q. And you told him what you saw around you, how other people were developing mass and seemed to be able to exercise endlessly, did you not?

20

A. No, not at all. It was just my own personal preference to see somebody, that I had proper guidance.

Q. I see. Did you not know that stanozolol was being sold in the gym itself?

A. At the time, no.

25

Q. Did you find out afterwards that



stanazolol was obtainable in the gym itself?

A. Yes, sir.

Q. And Dianabol was likewise available in the gym itself?

5 A. That's right.

Q. And Anavar was also available?

A. Yes, sir.

Q. And Primabolin was also available?

A. Yes, sir.

10 Q. And testosterone was also available?

A. Yes, sir.

THE COMMISSIONER: When did you learn that, before you met Dr. Astaphan or afterwards? I'm not quite clear on the question.

15 THE WITNESS: After.

THE COMMISSIONER: You learn this afterwards?

THE WITNESS: Yes, sir.

MR. SOOKRAM:

20 Q. And did you at any time tell the doctor that all these things were available in the gym?

A. No, I did not.

Q. Now, when you set up this appointment to see Dr. Astaphan, had you already made up your mind to go on steroids?

25



A. Not necessarily, no.

Q. You have a family doctor?

A. Yes, I do.

Q. You told us. Did you ask your family  
5 doctor whether or not you should go on steroids?

A. No, sir.

Q. You didn't? Did you ask any other doctor  
whether you should go on steroids?

A. No, sir.

10 Q. Did you have a coach at the time?

A. No, I did not.

Q. Did you have a coach at any time?

A. No, sir.

Q. When you went to see the doctor, did you  
15 not take a bag with you, sir?

A. Excuse me?

Q. Did you not have a bag with you, an  
exercise bag?

A. No, sir.

20 Q. Can't you remember?

A. I've seen him numerous times. I never  
brought anything in with me that I can recall.

Q. The first time you went to Dr. Astaphan's  
office, sir, my instructions are that you had a bag with  
25 you with a number of steroids and asked the doctor for





assistance in deciding which one is best for you?

A. No, I'm sorry, sir, that has never happened.

5 Q. I see. My instructions go on to say that the doctor suggested that you went on a particular steroid?

A. He suggested that I go on a particular steroid?

Q. Yes?

10 A. I was -- I was never under any knowledge of what I was taking while I was seeing Dr. Astaphan.

Q. You told me -- you told us you were his patient in 1985 and 1986?

A. That's right.

15 Q. And was not --

THE COMMISSIONER: You knew it was a steroid?

THE WITNESS: Yes, I knew it was steroids. As far as I know, yes.

20 MR. SOOKRAM:

Q. The transcript will show that you said you weren't aware of what you were taking but you knew it was Winstrol, stanozolol?

25 A. I was told it was Winstrol and vitamin B-12 although I wasn't really sure but that's what I was



told.

Q. You are not a chemist, you wouldn't know.  
But, you were told it was Winstrol?

A. Yes, sir.

5 THE COMMISSIONER: By the doctor?

THE WITNESS: Yes, sir.

THE COMMISSIONER: I see.

MR. SOOKRAM:

10 Q. Now, when you were first interviewed,  
sir, prior to coming to give testimony here?

A. Yes, sir.

Q. Did you tell the officer that you, at one  
time, sold drugs to other athletes?

15 A. No, sir.

Q. You didn't?

A. No, sir.

Q. You had, at other times --

MR. SALEM: I hope my friend has something to  
20 establish -- I mean, if he's just take making these  
unestablished accusations, I think that's unfair.

THE COMMISSIONER: Well, he's got the answer.

MR. SOOKRAM:

25 Q. At no time whatsoever, sir, had you ever



sold drugs to anybody?

A. No, sir.

Q. And Dr. Astaphan just chose you out of  
the blue to ask you whether or not you can get him some  
5 HGH?

A. Yes, sir.

Q. And sent you \$3,600 U.S. to buy the HGH  
for him?

A. That's right.

10 Q. Did you tell him that you can obtain the  
HGH?

A. I told him I thought I could obtain it.  
I wasn't sure if it was for real.

15 Q. Is it not a fact, sir, that you'd already  
bought HGH at previous occasions from that same source?

A. That I have bought that?

Q. Yes?

A. No, sir.

20 Q. All right. Now, you paid the money over  
to an individual. That's what you told us?

A. Yes, sir.

Q. Who was that individual to whom you paid  
the money?

25 MS. CHOWN: Mr. Commissioner, I might just  
rise at this point. We have not gotten into the name of



that individual that, for reasons, it's part of our investigation.

THE COMMISSIONER: Why is that -- why do you need the name, Mr. Sookram?

5 MR. SOOKRAM: Why don't we need the name, sir? We've been bandying everybody else's name and there are certain names that don't come out.

THE COMMISSIONER: We don't bandy any names at all unless -- except where the name is relevant.

10 MR. SOOKRAM: Well, the name is relevant here. I don't see the irrelevancy, if he paid \$3,600 of Dr. Astaphan's money to someone.

THE COMMISSIONER: Better tell us who it was?

15 THE WITNESS: It was through a gentleman named Frank Berone.

MR. SOOKRAM:

Q. Frank Berone?

A. Yes, sir.

20 Q. When did you give him this money, night or day?

A. I don't remember, sir.

Q. On what date?

A. I don't have that date.

25 THE COMMISSIONER: What's the point of your





question? Are you suggesting that there was no transaction made with this gentleman for Dr. Astaphan?

MR. SOOKRAM: I leave it open, sir. I don't make the suggestion.

5 THE COMMISSIONER: Well, then you should have relevancy and you're going along a course of -- a line here which I hope you can substantiate. Are you suggesting there was no transaction with Dr. Astaphan and this witness with respect to human growth hormones?

10 MR. SOOKRAM: I'm trying to find out, sir, and I have a right to find out.

THE COMMISSIONER: Up to a point but you can't be putting questions which are not going to be substantiated by your own witness, Mr. ---

15 MR. SOOKRAM: I'm not making any accusations.

THE COMMISSIONER: There is an undertone that you are, but go ahead. You can't just ask questions at large unless you're prepared to back them up, if there's an insuation against the witness.

20 MR. SOOKRAM:  
Q. Now, sir, you gave the money to someone whom you've named. How long after did you ask him for the HGH?

25 A. I asked him on numerous occasions.



Q. Mm-hmm?

A. I don't recall how long after. It may have been two days, two weeks.

5 Q. And your story is that he never came up with the HGH?

A. That's right.

Q. And he never returned the money?

A. That's right.

10 THE COMMISSIONER: Did you report that to Dr. Astaphan?

THE WITNESS: Yes, sir, I did.

MR. SOOKRAM:

15 Q. Did Dr. Astaphan ever ask you for the money back?

A. No, sir, he said don't worry about it.

Q. Don't worry about it. Have you seen Dr. Astaphan since that incident?

A. Yes, sir.

20 Q. Did he ask you for the money back?

A. No, sir.

Q. Did you supply him with any other HGH?

A. No, sir.

Q. Thank you, sir. No further questions.

25 THE COMMISSIONER: Thank you Mr. Sookram. Any



re-examination, Mr. Salem?

MR. SALEM: No, I have no further questions.

THE COMMISSIONER: All right. Ms. Chown?

MS. CHOWN: No, thank you, Mr. Commissioner.

5 THE COMMISSIONER: Thank you very much.

THE WITNESS: Thank you, sir.

THE COMMISSIONER: Mr. Armstrong?

MR. ARMSTRONG: Well, our next two witnesses  
are both from out of town and we have scheduled them for  
10 tomorrow so, as I anticipated, there might be a gap and  
there is. I apologize for that but we're --

THE COMMISSIONER: Well, we've got lots of  
work to do so we'll adjourn until tomorrow morning at ten  
o'clock. Thank you.

15 MR. ARMSTRONG: Thank you.

---Whereupon the proceedings were adjourned to resume  
Thursday, May 11, 1989 at ten o'clock.

20

25







